GOVERNMENT OF INDIA
FINANCE
LOK SABHA

UNSTARRED QUESTION NO:2875
ANSWERED ON:02.12.2016
Tax Evaders
Yadav Shri Laxmi Narayan

Will the Minister of FINANCE be pleased to state:

a) whether Disclosure of Information in regard to Tax evaders in prohibited under section 138 of the Income Tax Act, 1961;

b) if so, the details thereof and the reasons therefor;

c) the extent to which it is in public interest and beneficial for the Government;

d) whether the Government proposes to change the provisions and permit disclosure of such tax evaders; and

e) if so, the details thereof and the steps taken in this regard?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE:
(a) (b) & (c) Provisions of Section 138 of the Income Tax Act, 1961 ("Act") prescribe the manner and conditions in accordance with which information received/obtained by any income tax authority can be furnished to specified officers, authorities or bodies so as to enable them to perform their respective functions. It has also been provided that information about any assessee may be furnished to a person, having made an application in this regard to prescribed jurisdictional income tax authorities, if such authority is satisfied that the same is in public interest.

The disclosure of information respecting assesses under Section 138 does not, in general, prohibit furnishing of information about tax evaders. However, the Central Government may having regard to the practices and usages customary or other relevant factors, may pass an order restraining the public servants in furnishing information in respect of specified matters or information covering certain classes of assesses or it may allow furnishing of information to specified authorities only.

(d) & (e) Not applicable in view of above.